IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

RP.No. 782 of 2007(N)

(AGAINST THE JUDGMENT IN WPC.21761/2007 DATED 16.7.2007)
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REVIEW PETITIONER/PETITIONER:

KERALA STATE INDUSTRIAL ENTERPRISES
LTD., ST.JOSEPH'S PRESS BUILDINGS, COTTON HILL,
THIRUVANANTHAPURAM-695 014.

BY ADV. SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR
SRI.K.JOHN MATHAI
SRI.ANIL D. NAIR

RESPONDENTS/RESPONDENTS:
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1. ASST. PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANISATION,
REGIONAL OFFICE, PATTOM, THIRUVANANTHAPURAM.

2. SHRI. P.GOPALAKRISHNAN,
AJI NIVAS, PEROORKADA P.O., THIRUVANANTHAPURAM.

3. SHRI. P.SAMBASIVAN,
T.C.34/1090, PUTHUVAL PURAYIDOM, KOCHUTHOPPU,
VALLAKKADAVU P.O., THIRUVANANTHAPURAM.

R1 BY STANDING COUNSEL SMT.T.N.GIRIJA.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 21/08/2007,

THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

S. SIRI JAGAN, J.

R.P.No. 782 of 2007
in
WP(C) No. 21761 of 2007 - N

Dated this the 21st day of August, 2007

O R D E R

By this review petition, the petitioner points out an apparent discrepancy in the judgment, insofar as what the petitioner canvassed is the eligibility of the employees concerned to be enrolled as members of the Provident Fund in accordance with para 26B of the Employees' Provident Funds Scheme, 1952 (for short 'the Scheme') and what has been directed to be considered is the applicability of the Act under Section 7A(1)(a) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for short 'the Act').

2. I have heard both sides.

3. In the facts and circumstances of the case, I feel that the judgment is liable to be reviewed on the above ground. Accordingly, the judgment dated 16.7.2007 is

recalled and the writ petition is restored to file. The matter is taken up for hearing afresh.

The Review Petition is allowed.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007